

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DERRICK JACOBS

CIVIL COMPLAINT NUMBER: 19-CV-4616

V.

CITY OF PHILADELPHIA, et al.

**PLAINTIFF'S REQUEST FOR RECONSIDERATION OF THE NOVEMBER 6, 2023
ORDER (Document 157)**

1. On October 4, 2023, the Court held a conference to address various disputes between the parties.
2. On October 5, 2023, the Court issued Orders relating to the October 4, 2023 conference.
Note: plaintiff disputes the Orders as they related to what was discussed during the conference.
3. On November 2, 2023 the plaintiff filed a motion to compel and request for sanctions (ECF 156), which the Court DENIED on November 6, 2023 (ECF 157) without a response in opposition of the filing from the defendants.
4. The Court claimed the defendants adhered to his Order dated October 5, 2023 (ECF 153) by participating in an in-camera session with the Court on October 19, 2023.
5. The Court had not informed the plaintiff in any manner that this in-camera session had taken place. There were no entries in the docket that this in-camera session had taken place.
6. The plaintiff only learned that this in-camera session took place "after" he filed his motion to compel and request for sanctions against the defendants (ECF 156).
7. Furthermore, the plaintiff has not received a privilege log from the defendants as required by FRCP Rule 26(b)(5)(A) which states when a party withholds information otherwise discoverable by claiming that the information is privilege or subject to protection as trial-preparation material, the party must (i) expressly make the claim; and (ii) describe the

nature of the documents, communication, or tangible thing not produced or disclosed and do so in a manner that without revealing information itself privileged or protected, will enable other “parties” to assess the claim. The defendants only made the claim of privilege “after” the plaintiff informed the Court of their existence, to which the Court replied “have you seen the documents” and know of their existence to which the plaintiff replied “yes, 100 percent.”

8. The defendants are in violation of the Court’s Order dated October 5, 2023 (ECF 153). The defendants have not provided the privileged log to the plaintiff by October 19, 2023.
9. The defendants also have not provided the fabricated documents that were produced during the defendants’ deposition of the plaintiff.
10. The defendants also intentionally provided the Court with fabricated information during the October 4, 2023 conference which has caused the Court to issue an erroneous Order(s) that are not supported by the facts in this matter.
11. The defendants continually show their disdain for the FRCP in an effort to harass, intimidate, and create undue delay. The Court’s only option is to impose the extremely necessary sanctions.
12. The defendants also have refused to cooperate in the depositions Ordered by the Court and adhere to the rules of the Eastern District of Pennsylvania, Hall v Clifton Precision (EDPA 1993).
13. Based upon the listed facts the plaintiff’s request for reconsideration should be GRANTED.

Date: 11/20/2023



Derrick Jacobs

Plaintiff

Pro Se

CERTIFICATE OF SERVICE

I, Derrick Jacobs, Plaintiff within the above-captioned matter, hereby certify that a true and correct copy according to the Federal Rules of Civil Procedure was sent via ECF and/or email upon the listed parties on the date shown below:

Date: 11/20/2023



Derrick Jacobs,

Plaintiff

Pro se